



Inter Department Correspondence Sheet

TO: Members of Council

FROM: City Clerk

COPIES TO: _____

SUBJECT: Minutes of City Council Meeting

March 9, 2017

Attached are the minutes from the City Council meeting held on February 28, 2017.

R. Breckenridge Daughtrey

NORFOLK, VIRGINIA

MEETING OF COUNCIL

TUESDAY, FEBRUARY 28, 2017

Mayor Alexander called the meeting to order at 4:30 p.m. with the following members present: Ms. Graves, Ms. Johnson, Ms. McClellan, Mr. Riddick, Mr. Smigiel, Mr. Thomas and Dr. Whibley.

He thereupon called for the City Manager to review the agenda.

A. CITY COUNCIL POP UPS C4 AND C-2

Leonard Newcomb, Assistant Planning Director, reported as follows:

Both properties are non-standard lots and have a positive recommendation from the Planning Commission with conditions. For non-standard lots, an applicant can go through the city's design process or apply for a special exception. The builders will likely come before Council asking for a revision or change to conditions.

C-1 is 9274 Rippard Avenue (Equity Development Corporation, Nick Jacovides). The condition Mr. Jacovides is seeking to revise or change is: No garage shall project forward of the front facade of the house and must either (i) comprise not more than 40% of the width of the front facade, or (ii) must be recessed back not less than six (6) feet from the front facade of the house.

Councilman Smigiel noted that the civic league voted in favor of the two-car garage, but the Planning Commission approved a one-car garage based on future form standards which have not been adopted. Mr. Newcomb stated that the form standards they use are used for all non-standard lots.

C-2 is 1003 Tifton Street (Xclusive Designs, LLC, Chris Carr).

The applicant first proposed to add a second-story and garage to an existing single-story property. The previous single-family home on the property was recently almost completely demolished to the foundation without securing the required building permits. Since most of the previous home has been demolished, staff considers this proposal as a new house, losing any non-conforming status it may have held. The property is within the Chesapeake Bay Preservation Area Overlay District (CBPA) and any development of the site requires approval from the Environmental Services Bureau.

The Single-Family Traditional form characteristics are a part of the conditions of approval of this item. The recommendations are that the same design will be called for in addition to asking that the foundation and the water and sewer lines be replaced. The proposed home will include a front-loading attached garage located at the front facade as opposed to a detached garage in the rear.

B. COMBINED UTILITY BILL

Kristen Lentz, Director of Utilities, reported on this matter and in response to complaints of higher utility bills.

- She reviewed the categories of utilities included in the bill.
- Cost can be affected by the way the water meters work and how many days in the billing cycle.
- If a meter reader makes an error, and is reported, a billing correction will be made.

C. MID YEAR PRESENTATION

Greg Patrick, Acting Budget Director, reported as follows:

- Hampton Roads economic performance continues to lag the nation's, and employment has yet to rebound to pre-recession levels.
- Regional economists project below historical growth in 2017.
- The City's budget surplus of \$5.4 million has increased by another \$1.7 million. The recommendation is to use it to reduce debt.
- The credit rating agencies have been pleased with the City's financial condition.
- Through the second quarter the general fund is tracking the budget.
- There is no base budget gap for FY2018.
- FY2018 revenue drivers such as IKEA and ADP will bring nearly 6,000 jobs by 2018.
- A compensation increase will create a preliminary FY2018 base budget gap, and gaps will persist into the out years.

D. COUNCIL INTERESTS

- Ms. Graves asked for a review of gender equality in compensation.
- Mr. Smigiel wondered if real estate assessments are too conservative relative to the small increase in assessments.
- Mr. Riddick recommended finding more efficiencies to save additional funds because services cannot be reduced.
- Ms. McClellan urged examining technology as a way to increase efficiencies.
- Dr. Whibley encouraged ensuring that the risk management fund has adequate resources.
- Mr. Smigiel urged meeting with Legislators about allowing the City to use more creative funding methods which would include riverboat gambling.

E. THE PALACE ON PLUME BRIEFING

Bernard Pishko, City Attorney reviewed the procedure for how the Public Hearing on the revocation of the Palace's special exception will be conducted as follows: The City will have 15 minutes to present its case, Mr. Bullock will have 20 minutes and the City will have 5 minutes of rebuttal.

F. CLOSED SESSION

Motion for closed session was approved for purposes which are set out in Clause(s) 3, 7 and 29 of subsection (A) of Section 2.2-3711 of the Virginia Freedom of Information Act, as amended:

- (3) Discussion of the disposition of publicly held real property in the Wesleyan Drive and Northampton Boulevard area.
- (7) Consultation with legal counsel regarding two legal matters: a contested real estate valuation and title issues.
- (29) Discussion of the award of a public contract involving expenditure of public funds and discussion of the terms or scope of such contract, where discussion in open session would adversely affect the bargaining position or negotiating strategy of the public body.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley and Alexander.

No: None.

ACTION OF THE COUNCIL

CITY COUNCIL MEETING

TUESDAY, FEBRUARY 28, 2017 – 7:00 P.M.

Mayor Alexander called the meeting to order at 7:00 p.m.

The opening prayer was offered by the Reverend Dr. Joseph P. Lee Jr., Bank Street Memorial Baptist Church, followed by the Pledge of Allegiance.

The following members were present: Ms. Graves, Ms. Johnson, Ms. McClellan, Mr. Riddick, Mr. Smigiel, Mr. Thomas, Dr. Whibley, and Mr. Alexander.

President Alexander moved to dispense with the reading of the minutes of the previous meeting.

Motion adopted.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley and Alexander

No: None.

CERTIFICATION OF CLOSED MEETING

A Resolution entitled, "A Resolution certifying a closed meeting of the Council of the City of Norfolk in accordance with the provisions of the Virginia Freedom of Information Act," was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley and Alexander.

No: None.

PUBLIC HEARINGS

PH-1

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **City Planning Commission**, for a text amendment to Sections 15-1.2 and 15-3.1 of the *Zoning Ordinance* in order to modify the method used to calculate minimum required motor vehicle parking and to limit the availability of reduced parking for uses associated with existing buildings in the **Suburban Character District**.

Thereupon, an Ordinance entitled, "An Ordinance to amend **Sections 15-1.2 and 15-5** of the *Zoning Ordinance* of the **City of Norfolk, 1992, SO AS TO** revise regulations for grandfathering motor vehicle parking requirements in the **Suburban Character District** and the create a process for site-specific parking studies," was introduced and read by its title.

ACTION:

The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

PH-2

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **City Planning Commission**, for a text amendment to **Sections 11-20, "Pedestrian Commercial Overlay District - Colley Avenue (PCO-COLLEY),"** and 11-21, "Pedestrian Commercial Overlay District - 21st Street (PCO-21st)," of the *Zoning Ordinance* to allow electronic interactive messaging signs in the **21st Street and Colley Avenue PCOs**.

Tim Vohar, the applicant, 404 Talbot Hall Road, was present to answer questions.

Thereupon, an Ordinance entitled, "An Ordinance to amend Sections 11-20.4 and 11-21.3 of the *Zoning Ordinance* of the City of Norfolk, 1992, SO AS TO allow for digital window signs in the Pedestrian Commercial Overlay District-21st Street and the Pedestrian Commercial Overlay District-Colley Avenue," was introduced and read by its title.

ACTION:

The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

PH-3

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **CGE Corporation**, for the closing, vacating and discontinuing a portion of **Mapleshade Avenue**.

Erik Cooper, 414 Brackenridge Avenue, was present to answer questions.

Thereupon, an Ordinance entitled, "An Ordinance closing, vacating and discontinuing a portion of **Mapleshade Avenue**; and authorizing the City Manager to accept the conveyance by the abutting property owner of a utility easement in the vacated portion of the street," was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective March 31, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

PH-4

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Norfolk Building Corp**, for a change of zoning from R-8 (Single-Family) District to R-9 (Single-Family) District on the southern 40 ft. of property now or formerly known as **1514 Nelms Avenue**.

Jerome Miller, the applicant, 1507-B East Bayview Blvd., was present to answer questions.

Thereupon, an Ordinance entitled, "An Ordinance to rezone property located at **1514 Nelms Avenue** from R-8 (Single-Family Residential) District to R-9 (Single-Family Residential) District," was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

PH-5

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **Commonwealth Preservation Group**, to designate the existing structure at **2729 Bowden's Ferry Road** as a **Norfolk Historic Landmark**.

Paige Pollard, 6651 Talbot Hall Court, was present to answer questions, Thomas Harris, 1231 West 27th Street, Peter and Robin Bernath, 3711 Bowden's Ferry Road, were present to support this matter.

Thereupon, an Ordinance entitled, "An Ordinance to designate the property located at **2729 Bowden's Ferry Road** as a **Norfolk Historic Landmark** and to amend the zoning map to show the designation," was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

PH-6

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to revoke a **Special Exception** previously granted on October 23, 2012, by Ordinance No. 44,893 authorizing the operations of an entertainment establishment named "**The Palace**" on property located at **200 E. Plume Street**, for the failure to adhere to the conditions contained in the special exception.

A motion was introduced to continue the public hearing.

ACTION: The motion failed. (Required 5 votes.)

Yes: Graves, Johnson, Riddick and Alexander.

No: McClellan, Smigiel and Whibley.

Abstained: Thomas. (Mr. Thomas's law firm had been consulted previously.)

The Mayor explained the proceeding for tonight's public hearing as follows: Deputy City Attorney, Cindy Hall will present for 15 minutes; Mr. Kevin Martingayle, representing Mr. Keith Bullock, will have the opportunity to speak for 20 minutes with Ms. Hall having an opportunity for a 5 minute rebuttal.

Ms. Hall stated that State Code, Section 15.2-2286 allows the governing body of any locality to issue a special exception. The Norfolk City Council has adopted provisions that require all entertainment establishments to obtain a special exception prior to operating. Each special exception sets forth specific conditions for operation. Section 25.8 of the Zoning Ordinance provides a violation of any conditions of a special exception shall be grounds for a revocation.

There are two issues of concern: Public Safety and Tax Delinquency. Public Safety concerns: Section 25.9.8 of the Zoning Ordinance states that any use by special exception shall not become an annoyance to the neighborhood, nor operate in an offensive matter and shall not permit disorderly behavior. Ms. Hall mentioned several problems: overcrowding, lewd dancing, drinking after hours, inaccurate count of occupancy, illegal fireworks, use of unlicensed security guards, illegal use of third party promoters, disorderly behavior, blocked sidewalks and illegal parking. **Tax Delinquency concerns:** According to Ordinance 44,893, Section 2:(j) the facility is required to remain current on all food and beverage taxes and business personal property taxes.

An audit was conducted by Commissioner of Revenue for The Palace's business license, food and beverage tax, business personal property tax, and admission tax account for the period January 2011 to December 2014. The audit revealed that additional taxes were due for that period.

Mr. Kevin Martingalye, 3704 Pacific Avenue, introduced Robert Roussos, attorney, Kenneth Bullock, applicant and Dave Livengood, former ABC agent. Mr. Martingalye, stated that when you look at what's been alleged, they are unadjudicated allegations with nothing being proved in a judicial process.

The special exception was issued in October, 2012. There have been no charges against the Palace in regards to the following:

- ABC charges
- Criminal charges against anyone associated with the Palace
- Fire code violations
- Health Department violations

When all the evidence is added together, it amounts to nothing but allegations unproven in a courtroom or before an administrative body.

Robert Roussos, attorney, 580 East Main Street, Ste. 300, stated that Mr. Bullock came to him about taxes and about a forensic audit which counted the number of alcohol bottles at the retail prices and taxed at an additional \$170,000.00. He stated there was no consideration for drinks being sold at different prices, employee theft and money accountability among staff.

There have been a series of actions against Mr. Bullock without court action and he is entitled to due process.

This concluded the presentations by the City and Mr. Bullock. Mayor Alexander next called on others registered to speak on the matter.

Reverend Anthony Paige, 3320 Norway Place, opponent, stated the members of Council should be very careful in their actions, that he hopes citizens are watching and that they will remember what is happening. Nobody from Economic Development or others helped this small businessman who probably did not have the experience of other companies. He expressed disappointment that City staff compiled evidence against Mr. Bullock, but there is no indication they tried to help him.

Mark Ketner, Senior Vice President of Malibu Funding Bank, 4633 Miles Standish Road, Virginia Beach, VA, stated that Cindy Hall asked him if the suspension or loss of this permit would impact the business; the answer is yes. He stated he had been working on contracts for selling the Palace. He could have closed Mr. Bullock's business down, but he saw the big picture that he had 15 employees working for him and he had recently refinanced so everything was looking good. He stated that he did not know Mr. Bullock personally, but he seems to be a good and hardworking individual.

John Wesley Hill, 2906 Mapleton Avenue, stated that he had been in business since 1965, and that no matter how much you owe you have to pay your taxes or you should not be in business. If you start off wrong it is hard to make it right.

Thereupon, an Ordinance entitled, "An Ordinance revoking a **Special Exception** previously granted to the **Palace Inc.** on **October 23, 2012** by **Ordinance No. 44,893**, authorizing the operation of an entertainment establishment on property located at **200 E. Plume Street**," was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Johnson, McClellan, Smigiel, Whibley, and Alexander.

No: Graves, Riddick.

Abstained: Thomas. (Mr. Thomas's law firm had been consulted previously.)

PH-7

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to authorize the conveyance to **Balance Builders, Inc.** of certain parcels of property located at **S S W. 26th Street** for the total sum of \$19,000.00 in accordance with the terms and conditions of the **Purchase and Sale Agreement**.

Thereupon, an Ordinance entitled, "An Ordinance authorizing the conveyance to **Balance Builders, Inc.** of certain parcels of property located at **S S W. 26th Street** for the total sum of \$19,000.00 in accordance with the terms and conditions of the **Purchase and Sale Agreement**," was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective March 31, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

PH-8

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to authorize the sale to **Scotland Farms, LLC** of a certain parcel of property, approximately 165 acres in area, owned by the City of Norfolk and located at **425 Harrell Street** in the City of Chesapeake, for the sum of \$592,155.00; approving the **Purchase and Sale Agreement**; and authorizing the City Manager to execute the agreement on behalf of the City.

Thereupon, an Ordinance entitled, "An Ordinance authorizing the sale to **Scotland Farms, LLC** of a certain parcel of property approximately 165 acres in area, owned by the **City of Norfolk** and located at **425 Harrell Road** in the **City of Chesapeake**, for the sum of \$592,155.00; approving the Purchase and Sale Agreement; and authorizing the City Manager to execute the **Agreement** on behalf of the City," was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective March 31, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

PH-9

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to approve a **Lease Agreement with Attucks Post 5, The American Legion, Department of Virginia, Inc.** for the lease of city owned property located at **903 Wilson Road**.

Al Stewart, 4643 Fern Oak Court, Virginia Beach, was present to answer questions.

Thereupon, an Ordinance entitled, "An Ordinance approving a **Lease Agreement with Attucks Post 5, The American Legion, Department of Virginia, Inc.** for the lease of city owned property located at **903 Wilson Road**," was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective March 31, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No None.

PH-10

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to approve a **Lease Agreement with Norfolk Stationery Company, Incorporated** for the lease of city owned property located at **103 Granby Street**.

ACTION: Continued Indefinitely.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

CONSENT AGENDA

C-1 Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Special Exception** to permit the construction of a single-family residence on a nonstandard-width lot on property located at **9274 Rippard Avenue**.

Nick Jacovides, the applicant, 4640 Shore Drive, Ste. 113, Virginia Beach, VA, stated that the plan went to the civic league and the Planning Commission for approval. He asked that Item (D) regarding the garage door be amended, from a 1 car garage to a 2 car garage.

ACTION: Continued to March 21, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

C-2 Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Special Exception** to permit the construction of a single-family residence on a nonstandard-width lot on property located at **1003 Tifton Street**.

Chris Carr, the applicant, 804 Red Bay Circle, Chesapeake, VA, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

C-3 Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Special Exception** authorizing the operation of an eating and drinking establishment named **"The Barking Dog at Riverview"** on property located at **4117 Granby Street, Suite A**.

ACTION: The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

C-4 Letter from the City Manager and an Ordinance entitled, An Ordinance accepting \$66,379.63 from the **Schools and Libraries Division** of the **Universal Service Fund E-Rate Reimbursement Program** and appropriating and authorizing the expenditure of \$66,379.63 for telecommunications and technology services for the **Norfolk Public Library**.

ACTION: The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

C-5 Letter from the City Manager and an Ordinance entitled, An Ordinance accepting a \$7,150.00 grant award from the Virginia Department of **Criminal Justice Services Policing in the 21st Century Program** to pay for **Police Athletic League and Business Watch** equipment and activities, appropriating and authorizing the expenditure of the grant funds and local matching funds in the amount of \$794.00 as in-kind services by the **Norfolk Police Department** for the program.

Christine Condon, Police Department, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

C-6 Letter from the City Manager and an Ordinance entitled, An Ordinance accepting grant funds in the amount of \$22,948,800 from the **Department of Defense** for the construction of a new **Camp Allen Elementary School** on the existing site and appropriating and authorizing the expenditure of the grant funds and \$5,737,200 in local matching funds for the construction for the total funding in the amount of \$28,686,000.

ACTION: The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

C-7 Letter from the City Manager and an Ordinance entitled, An Ordinance authorizing the City as Administrative and Fiscal Agent for the **Norfolk Transitional Grant Area (TGA) Under Title I of the Ryan White Comprehensive Aids Resources Emergency (CARE) Act** to accept **Part A** grant funds in the amount of \$6,855,787.00 from the **U.S. Department of Health and Human Services for HIV/AIDS Health and Human Services** and appropriating and authorizing expenditure of the grant funds.

ACTION: The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

C-8 Letter from the City Manager and an Ordinance entitled, An Ordinance accepting grant funds in the amount of \$40,000 from the **Commonwealth of Virginia Department of Criminal Justice Services** to support the continuation of the **Violence Against Women Act (VAWA) V-Stop Program** and appropriating and authorizing the expenditure of \$40,000 in grant funds and \$29,094 in a local cash match for total grant funds of \$69,094 for the program.

Betsy Powell, Commonwealth's Attorney's Office, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

C-9 Letter from the City Attorney and an Ordinance entitled, An Ordinance directing the City Treasurer to issue a refund in the amount of \$4,517.49 plus interest to **Golf Management, Inc.** based upon the overpayment of its Business Personal Property Taxes for the Tax Year 2016.

ACTION: The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

REGULAR AGENDA

R-1 Letter from the City Manager and an Ordinance entitled, "An Ordinance approving an **Institutional Development Plan** for the **Eastern Virginia Medical Center SO AS TO** include a new medical tower and parking garage for the **Children's Hospital of the King's Daughters** on property located at **400 Gresham Drive**," was introduced in writing and read by its title.

Tom Lemieux, the applicant, 3223 Shelter Cove Court, Suffolk, VA, and Scott Chewning, representative, 349 Southpole Circle, were present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, and Alexander.

No: None.

Abstained: Whibley. (Dr. Whibley's medical practice is a tenant in the building that would be demolished.)

R-2 Letter from the City Manager and an Ordinance entitled, "An Ordinance permitting **161 Granby Street LLC** to encroach into the rights-of-way of **Granby Street** and **City Hall Avenue** with cornices, canopies and a fire escape," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

R-3 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting **Dan H. Schofield** permission to encroach into the right-of-way at **1408 Colley Avenue** approximately 352 square feet for the purpose of outdoor dining and approving the terms and conditions of the **Encroachment Agreement**," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

R-4 Letter from the City Manager and an Ordinance entitled, "An Ordinance authorizing the acquisition of certain parcels of property located at **1692, 1696 and 1698 Church Street** for the purpose of revitalizing the **Church Street Corridor**; approving the terms and conditions of the **Purchase and Sale Agreement**; and authorizing the expenditure of a sum of up to \$165,900.00 from funds heretofore appropriated for acquisition of the property and all related transactional costs," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

R-5 Letter from the City Manager and an Ordinance entitled, "An Ordinance authorizing the amendment of the **Cable Television Franchise** between the **City and Cox Communications Hampton Roads, LLC** to extend the term of the franchise to and including December 31, 2017 and authorizing the City Manager to execute the amendment to the **Franchise Agreement** on behalf of the **City**," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

R-6 Letter from the City Manager and an Ordinance entitled, "An Ordinance to amend and reordain **Section 37-84 (d)** of the **Code of the City of Norfolk, 1979**, as amended, to provide for the payment of a decedent's **DROP** account balance," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

R-7 Letter from the City Manager and an Ordinance entitled, "An Ordinance to amend and reordain **Chapter 2.1 of the Norfolk City Code, 1979**, as amended, **SO AS TO** add one new section prohibiting discrimination in City employment," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

R-8 Letter from the City Manager and an Ordinance entitled, "An Ordinance to amend and reordain **Section 33.1-53 of the Norfolk City Code, 1979**, **SO AS TO** prohibit discrimination by contractors based on sexual orientation or gender identity," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

R-9 A Resolution entitled, "A Resolution appointing or reappointing **32 Persons to 6 Boards and 8 Commissions** for certain terms," was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective February 28, 2017.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

NEW BUSINESS

1. Violet Hoyle, P.O. Box 2732, AKA Chapter, expressed concerns about civil and voting rights, the use of voter identification, protection for women in the workplace, education in public schools vs. charter schools, poverty among school age children, health care and everyday challenges that women face.
2. Ada Blair, 119 Filbert Street, expressed concerns about a certain area of Wards Corner that needs to be cleaned up. She stated that this part of Wards Corner has been forgotten and something needs to be done.
3. Reverend Richard Freeman, 700 Auburn Avenue, expressed concerns about the lighting at Braywood Senior Hi-Rise, stating that a certain light has been out for a while. They have experienced car break-ins and it is unsafe for seniors to sit outside. The city has been contacted about the light on several occasions.
4. John Wesley Hill, 2906 Mapleton Avenue, stated there is no security at the Tobacco Factory and that City Treasurer Anthony Burfoot should have been gone long ago.
5. Robert Brown, 8507 Troy Street, stated that he was glad the General Assembly passed a bill to remove elected officials from office convicted of a felony. Judge Martin finally removed Mr. Burfoot. He still has concerns about the office with Amy Ortega as Interim City Treasurer. He also asked council to look into hiring Carl Cox back and making him the Interim Treasurer.
6. Danny Lee Ginn, 3844 Dare Circle, asked Council to engage in a conversation that would amend the Resolution on rules regulating the conduct of persons attending Council meetings, stating this denies citizens their First Amendment rights. He referenced sections he would like to see rescinded.